


Date: August 23, 2019

To: Weber County Board of County Commissioners

From: Sean Wilkinson, AICP 
Department Director, Community Development

Agenda Date: September 3, 2019

Subject: **Request for Approval of an Ordinance Establishing a County Weed Control Board (Title 46 – Noxious Weed Control)**

Documents: - First Reading of Ordinance (Exhibit A)

Summary:

The Weber County Weeds Division is requesting approval of an ordinance establishing a County Weed Control Board. Utah Code Chapter 4-17 authorizes a county weed control board to be responsible for the formulation and implementation of a county-wide coordinated noxious weed control program designed to prevent and control noxious weeds. This ordinance creates the Board, describes its organization and membership, and sets forth its basic duties. Adoption of this ordinance will allow the County to have a bigger impact on noxious weed elimination and prevention than ever before. The ordinance becomes effective 15 days after it is approved. It is anticipated that the County Commission will appoint the five board members soon after the effective date.

Recommendation:

Approve the ordinance establishing a County Weed Control Board as Title 46 – Noxious Weed Control, Code of Ordinances, Weber County, Utah.

Exhibit A (First Reading)

ORDINANCE NUMBER _____

AN ORDINANCE ESTABLISHING A COUNTY WEED CONTROL BOARD

WHEREAS Utah Code Annotated Chapter 4-17, the Utah Noxious Weed Act, authorizes counties to appoint a county weed control board to be responsible for the formulation and implementation of a county-wide coordinated noxious weed control program designed to prevent and control noxious weeds; and

WHEREAS the Board of County Commissioners of Weber County finds that noxious weeds in Weber County are injurious to public health, crops, livestock, and land, and that a weed control board will benefit county residents by improving the County's ability to prevent and control noxious weeds;

NOW THEREFORE, the Board of County Commissioners of Weber County ordains as follows:

1. A new title shall be added to the Code of Ordinances, Weber County, Utah, as follows:

Title 46. – Noxious Weed Control

Sections:

- | | |
|--------|---|
| 46-1-1 | Authority. |
| 46-1-2 | Creation and purpose of weed control board. |
| 46-1-3 | Board membership and organization. |
| 46-1-4 | Powers, duties, and procedures. |

46-1-1 Authority.

The authority for this chapter is derived from the Utah Noxious Weed Act, Chapter 4-17, Utah Code Annotated.

46-1-2 Creation and purpose of weed control board.

The Weber County weed control board is hereby created. Its purpose is to formulate and implement a county-wide coordinated noxious weed control program designed to prevent and control noxious weeds.

46-1-3 Board membership and organization.

- (a) The weed control board shall consist of five members.
- (b) Two members of the board shall be farmers or ranchers whose primary source of income is derived from production agriculture.
- (c) Board members shall serve without compensation.
- (d) Board members shall be appointed by a majority vote of the county commission.

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- (e) Board members shall serve for a term of four years, except that initially, two members shall serve two-year terms, so that the expiration of terms is staggered.
- (f) Board members may be removed for cause by majority vote of the county commission.
- (g) Any vacancy that occurs on the board shall be filled by appointment for the unexpired term of the vacated member.
- (h) Every two years, the board shall elect a chair and a vice-chair from its membership. Each officer shall hold office for a two-year period. An officer may not serve more than two consecutive two-year terms in the same office, except that a member elected as chair or vice-chair mid-term, to fill a vacant office, shall complete the unexpired term and may then serve an additional two terms, if re-elected.

46-1-4 Powers, duties, and procedures.

- (a) The board's powers and duties shall be those assigned to it by state law.
- (b) The county commission, in its executive capacity, shall provide general direction to the board and shall appoint one member of the county commission to act as a coordinator between the county commission and the board.
- (c) The board shall adopt rules, consistent with state law and county ordinances, for conducting its business and may amend the rules from time to time. Such rules may include policies and procedures for the scheduling and conduct of its meetings, the handling of conflicts of interest, and any other purpose considered necessary for the functioning of the board.

2. This ordinance shall become effective 15 days after publication.

Passed, adopted, and a summary ordered published this _____ day of _____, 2019, by the Board of Commissioners of Weber County.

BOARD OF COUNTY COMMISSIONERS
OF WEBER COUNTY

By _____
Scott K. Jenkins, Chair

Commissioner Jenkins voted _____
Commissioner Froerer voted _____
Commissioner Harvey voted _____

ATTEST:

Ricky Hatch, CPA
Weber County Clerk/Auditor